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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

2009 FEB 19 A 11: 08

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
JOHNSON UTILITIES, L.L.C., DBA JOHNSON
UTILITIES COMPANY FOR AN INCREASE IN
ITS WATER AND WASTEWATER RATES FOR
CUSTOMERS WITHIN PINAL COUNTY,
ARIZONA.

DOCKET NO. WS-02987A-08-0180

PROCEDURAL ORDER

BY THE COMMISSION:

On March 31, 2008, Johnson Utilities, LLC, dba Johnson Utilities Company ("Johnson") filed with the Arizona Corporation Commission ("Commission") an application for increases in its water and wastewater utility rates.

On August 15, 2008, by Procedural Order, a hearing in this matter was scheduled to commence on April 23, 2009, public notice was ordered, and other filing dates were established.

Intervention in this proceeding has been granted to Swing First Golf, LLC ("Swing First") the Residential Utility Consumer Office and the Town of Florence.

On February 17, 2009, Swing First made two filings: a Motion for Leave to File Supplemental Direct Testimony, and an Emergency Motion to Prohibit Inappropriate Contact.

Johnson should file a Response to the Motion, and a procedural conference should be held thereafter.

IT IS THEREFORE ORDERED that Johnson Utilities, LLC, dba Johnson Utilities Company shall file a Response to Swing First Golf, LLC's Emergency Motion to Prohibit Inappropriate Contact no later than **February 24, 2009**.

IT IS FURTHER ORDERED that a procedural conference is hereby scheduled to commence on **February 26, 2009, at 1:00 p.m.** or as soon thereafter as is practicable, at the Commission's offices, 1200 West Washington Street, Conference Room 100, Phoenix, Arizona 85007, for the purpose of allowing the parties to present their arguments regarding Swing First Golf, LLC's

1 Emergency Motion to Prohibit Inappropriate Contact.

2 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
3 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to the practice of law and admission
4 *pro hac vice*.

5 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
6 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
7 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
8 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
9 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
10 Administrative Law Judge or the Commission.

11 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
12 Communications) continues to apply to this proceeding and shall remain in effect until the
13 Commission's Decision in this matter is final and non-appealable.

14 IT IS FURTHER ORDERED that the time periods specified herein shall not be extended
15 pursuant to Rule 6(a) or (e) of the Rules of Civil Procedure.

16 IT IS FURTHER ORDERED that the Administrative Law Judge may rescind, alter, amend,
17 or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at
18 hearing.

19 DATED this 19th day of February, 2009.

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22 
23 TEENA WOLFE
ADMINISTRATIVE LAW JUDGE
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25 ...
26 ...
27 ...
28 ...

Copies of the foregoing mailed/delivered
this 17th day of February, 2009 to:

Jeffrey W. Crockett, Esq.
Bradley S. Carroll, Esq.
Kristoffer P. Kiefer, Esq.
SNELL & WILMER LLP
One Arizona Center
400 East Van Buren Street
Phoenix, Arizona 85004-2202
Attorneys for Johnson Utilities, LLC

Craig A. Marks
CRAIG A. MARKS, PLC
10645 N. Tatum Blvd., Suite 200-676
Phoenix, Arizona 85028
Attorney for Swing First Golf, LLC


Daniel Pozefsky, Chief Counsel
RESIDENTIAL UTILITY
CONSUMER OFFICE
1110 West Washington Street, Suite 220
Phoenix, AZ 85007-2958

James E. Mannato, Town Attorney
TOWN OF FLORENCE
775 North Main Street
P.O. Box 2670
Florence, AZ 85232-2670

Janice Alward, Chief Counsel
Nancy Scott, Staff Attorney
Ayesha Vora, Staff Attorney
Legal Division
1200 West Washington Street
Phoenix, AZ 85007-2927

Ernest G. Johnson, Director
Utilities Division
ARIZONA CORPORATION COMMISSION
1200 West Washington Street
Phoenix, AZ 85007-2927

ARIZONA REPORTING SERVICE, INC.
2200 N. Central Ave., Suite 502
Phoenix, AZ 85004-1481

By: 
Debra Broyles
Secretary to Teena Wolfe